REMARKS

In the Office Action, the specification was objected to as failing to provide proper antecedent basis for the claimed subject matter in accordance with 37 C.F.R. 1.75(d) and M.P.E.P § 608.01(o). Claims 23-26 were objected to because of certain informalities. Claims 19-24, and 26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Moody, (U.S. Patent 1,776,392, hereinafter "Moody"). Claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Moody in view of European Patent, (European Patent 1,308,619, hereinafter "European Patent"). Claims 1, 3-17, 27, and 29-30 were allowed. By the present Response, claim 23 is amended. No new matter has been added. Upon entry of the amendments, claims 1, 3-17, 19-27, 29, and 30 will be pending in the present patent application. Reconsideration and allowance of all pending claims are requested.

Objection to the Specification

The specification was objected to as failing to provide support for the claimed subject matter in accordance with 37 C.F.R. 1.75 (d) (1) and M.P.E.P. § 608.01(o). Paragraph 32 of the specification has been amended to obviate the objections raised in the Office Action. Specifically, paragraph 32 is amended to provide support for claimed subject matter of claim 21. No new matter has been added. Review and acceptance of the replacement paragraphs are requested.

Claim objections due to informalities

In the Office Action, claims 23-26 were objected to due to certain informalities. Claims 23 has been amended to obviate the objections raised in the Office Action. In particular, claim 23 has been amended to recite, *inter alia*, "disposing at least two needle valve injector assemblies between *the* distributor and *the* runner of the Pelton turbine to direct flow from the distributor to the runner." Claim 23 is further amended to recite, *inter alia*, "wherein the *Pelton* turbine comprises at least two needle valve injector

assemblies alternately disposed with at least two high efficiency injector assemblies." No new matter has been added. Thus, reconsideration and allowance of the amended claim 23 and claims depending therefrom are requested.

Rejections Under 35 U.S.C. § 102

Claims 19-24, and 26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Moody. These rejections were made to independent claims 19, 21, and 23 in view of prior art.

Independent claims 19 and 21 recite, in generally similar language, *inter alia*, "wherein the pelton turbine comprises *at least two needle valve injector assemblies alternately disposed with at least two high efficiency injector assemblies* to provide a modulated flow of water from the needle valve injector assemblies." Independent claim 23 recites, *inter alia*, "wherein the Pelton turbine comprises *at least two needle valve injector assemblies alternately disposed with at least two high efficiency injector assemblies*."

As set forth in paragraph 21 of the present patent application, the flow of water 16 is controlled through the plurality of needle valve injector assemblies 28 and the plurality of high efficiency injector assemblies. In the illustrated embodiment, control modules 44 and 46 are coupled to the needle valve injector assemblies 28 and to the high efficiency injector assemblies 46, respectively, to regulate opening and closing of the valves of each injector assembly. *See, e.g.*, Application, page 5.

With reference to Moody, FIG. 2 of this reference illustrates a spiral casing or conduit 30 encircling the runner. Leading from this pipe at circumferentially disposed points are branches 31, while the last nozzle is supplied through an elbow 32 forming a continuation of the end of the supply conduit. *See, e.g.*, Moody, page 3, lines 77-83. It

will be noted that the nozzles 33 are disposed substantially in the plane of the supply conduit or spiral casing 30, which is also true of the branches 31. *See, e.g.*, Moody, page 3, lines 89-92. It is clearly evident that Moody discloses *the same nozzles 33 disposed along the spiral casing or conduit.* Moody does not teach or suggest "wherein the pelton turbine comprises at least two needle valve injector assemblies alternately disposed with at least two high efficiency injector assemblies" as recited by the independent claims 19, 21, and 23. That is, the claims require two different injector assemblies, while Moody provides a single type of assembly (Nozzles 33). Therefore, Moody cannot anticipate independent claims 19, 21, 23, and the claims depending therefrom.

For these reasons, the Applicants respectfully request withdrawal of the foregoing rejections under 35 U.S.C. § 102.

Rejections Under 35 U.S.C. § 103

Claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Moody in view of the European Patent. Claim 25 depends directly from the amended independent claim 23. Claim 23 is allowable for the reasons cited above. Therefore, claim 25 is allowable by virtue of its dependency from allowable independent claim 23.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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Patrick S. Yoder
Reg. No. 37,479
FLETCHER YODER
P.O. Box 692289
Houston, TX 77269-2289
(281) 970-4545